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VIA ECF and Facsimile - 631-712-5705

December 20, 2007

Hon. Michael L. Orenstein, U.S.M.J.
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722-4449

Re: Caronia, et al. v. Husted Chevrolet, et al.
Docket No. CV-05 3526, et al.

Dear Judge Orenstein:

As you may recall, this office represents all of the Defendants in this matter except Tom Jones and Jones & Little.

By previous agreement of the parties, the continued deposition of Plaintiff Josephine Caronia was scheduled to resume in the Federal Court House in Central Islip on Friday, December 21, 2007 at 10 a.m. This scheduling has been embodied in an Order of the Court dated December 17, 2007. The Defendants have expended considerable time, effort and expense in preparing for this very important deposition. We respectfully remind the Court that Plaintiffs have postponed this deposition once already.

At approximately 2:30 p.m. on December 20, 2007, the undersigned received a telephone call from Harry Thomasson, Esq., counsel for Ms. Caronia. Mr. Thomasson explained that Ms. Caronia, together with a co-worker, is responsible for preparing the payroll at her present place of employment. According to Mr. Thomasson, Ms. Caronia informed him that her co-worker will be absent from work tomorrow and, therefore, Ms. Caronia will be solely responsible for preparing the payroll. Mr. Thomasson further asserts that, if the payroll is not prepared on Friday, December 21, 2007, the employees of Ms. Caronia's workplace will not receive their pay checks in time for the Christmas holiday.

12/20/07
It does not surprise this Court that counsel are unwilling and unable to resolve this issue which impacts people who have had nothing to do with the litigants in this case. A judgment of deposition granted Court will not be a new date counsel set on their own. So ordered.

U.S.M.J.

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In view of the previous postponement of this deposition, as well as what the Defendants regard as the non-compelling nature of the witnesses circumstances, we strenuously oppose any request for adjournment. Accordingly, we urgently request the Court to hold a telephonic conference as soon as possible following receipt of this letter.

A copy of this letter is being sent to Harry Thomasson, Esq., via facsimile.


MILMAN LABUDA LAW GROUP PLLC

Perry S. Heidecker (PH 6955)

PSH:pag

Cc: Harry Thomasson, Esq.- Via Facsimile
John J. Napolitano, Esq - Via Facsimile